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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CONSTANTIN DENIS MIHAI and  
ARNOLD NAPOLES,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, in his official  
capacity as Secretary of Homeland Security,  
U.S. DEPARTMENT OF HOMELAND  
SECURITY, UR M. JADDOU, in her  
official capacity as Acting Director of U.S.  
Citizenship and Immigration Services, U.S.  
CITIZENSHIP AND IMMIGRATION  
SERVICES, the UNITED STATES OF  
AMERICA and JOHN DOES I through  
XX, inclusive,

Defendants.

Case No. 2:23-cv-01127-JAD-DJA

**Stipulation and Order**

**(Second Request)**

Plaintiffs Constantin Denis Mihai and Arnold Napoles and Defendants Alejandro Mayorkas, Secretary of Homeland Security, US Department of Homeland Security, Ur M. Jaddou, Acting Director of U.S. Citizenship and Immigration Services, United States Citizenship and Immigration Services and United States of America ("Federal Defendants"), hereby stipulate and agree as follows:

Plaintiffs filed their Complaint on July 19, 2023.

Plaintiffs served the United States with a copy of the Summons and Complaint via Certified Mail on August 4, 2023.

1 The current deadline for the United States to respond to the Plaintiffs' Complaint is  
2 on December 4, 2023.

3 Plaintiffs and the Federal Defendants, through undersigned counsel, stipulate and  
4 request that the Court approve a 60-day extension of time, from December 4, 2023, to  
5 February 2, 2024, for Federal Defendants to file a response to the Complaint, ECF No. 1.  
6 This is the second request for an extension of time.

7 Since the filing of the first request for extension, the Agency has conducted an  
8 interview with the plaintiffs and their petition is still being processed.

9 The additional 60 days are necessary for the Agency to evaluate and adjudicate  
10 plaintiffs' petition.

11 Therefore, the parties request that the Court extend the deadline for the United  
12 States to answer or otherwise respond to February 2, 2024.

13 This stipulated request is filed in good faith and not for the purposes of undue delay.

14 Respectfully submitted this 24th day of November 2023.

15 REZA ATHARI, MILLS & FINK, PLLC

JASON M. FRIERSON  
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17 /s/ Gary Fink  
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22 *Attorney for Plaintiffs*

/s/ Virginia T. Tomova  
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24 **IT IS SO ORDERED:**

  
25 **UNITED STATES MAGISTRATE JUDGE**

26 **DATED:** 11/27/2023  
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